

REMARKS

This is intended as a full and complete response to the Final Office Action dated June 25, 2007, having a shortened statutory period for response set to expire on September 25, 2007. Claims 1-15, 17, and 18 have been examined. The Examiner rejected claims 14, 15, 17, and 18 under 35 U.S.C. § 103(a) as being obvious over Uemura (US Pat. No. 6,434,288) in view of Kinoshita (US Pat. No. 7,116,905). The Examiner indicated that claims 1-13 are allowed.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claims 14, 15, 17, and 18 as being obvious over Uemura in view of Kinoshita. In response, Applicant has amended claim 14. Additionally, Applicant has cancelled claim 18.

As amended, claim 14 includes a limitation of claim 18 which the Examiner has previously considered. Specifically, claim 14 includes the limitation of receiving a triggering input signal for protection switching, wherein the receiving step comprises a manually initiated command. The combination of Uemura and Kinoshita fails to disclose this limitation. For instance, Uemura merely discloses that a receiving section in the optical switching system detects a faulty state of a signal from a working receiving path and then places the receiving optical switch in a cross state in order to connect to the signal from a preparatory receiving path (see Uemura, col. 10, lines 60-65). Kinoshita discloses that the fiber cut signal is communicated by a node EMS, such as LOL alarm from a down stream preamplifier (see Kinoshita, col. 21, lines 10-19). As such, the combination of Uemura and Kinoshita fails to disclose a receiving step that comprises a manually initiated command, as recited in amended claim 14. This failure precludes the combination of Uemura and Kinoshita from rendering claim 14 obvious. Applicant therefore submits that claim 14 is in condition for allowance and respectfully requests withdrawal of the §103(a) rejection. Additionally, since claims 15 and 17 depend from claim 14, these claims are allowable for at least the same reasons as claim 14.

Allowable Subject Matter

The Examiner indicated that claims 1-13 are allowed. Applicant appreciates allowance of these claims.

Conclusion

Having addressed all issues set out in the office action, Applicant respectfully submits that the case is in condition for allowance. If the Examiner has any questions, please contact the Applicant's undersigned representative at the number provided below.

Respectfully submitted,



Walter C. Grollitsch

Registration No. 48,678

PATTERSON & SHERIDAN, L.L.P.

3040 Post Oak Blvd. Suite 1500

Houston, TX 77056

Telephone: (713) 623-4844

Facsimile: (713) 623-4846

Attorney for Applicant